

The Bellevue City Council met on Monday, October 7, 2019 in Regular Session at 6:30 P.M. in the Council Chambers with Mayor Roger Michels presiding. The Pledge of Allegiance was recited by all present. The roll was called as follows:

PRESENT: Councilmembers Kyle Clausen, Lyn Medinger, Tammy Michels and Tim Roth.
Also present were City Administrator/Clerk Abbey Skrivseth, Police Officer Ryan Kloft, Jo Fifield, David Heiar and Laura McCool.

ABSENT: Councilmember Jayson Heiar.

APPROVAL OF AGENDA:

Mayor Roger Michels reviewed the Agenda and declared it approved.

CONSENT AGENDA

Clausen moved with a second by Medinger to approve the Consent Agenda. Motion carried unanimously.

- A. Approve Minutes of September 21, 2019 Regular Session
- B. Approve September 2019 Financial Reports

**ORDINANCE NO. 448 AMENDING TITLE VI PHYSICAL ENVIRONMENT,
CHAPTER 13 TREE BOARD AND REGULATIONS, SECTION 9 PRIVATE TREE
MAINTENANCE**

Michels moved with a second by Roth to approve the second reading of Ordinance No. 448. Roll call vote carried unanimously.

Clausen then moved with a second by Michels to waive the third and final reading and pass into law upon publication Ordinance No. 448. Roll call vote carried unanimously.

ORDINANCE NO. 448

**AN ORDINANCE AMENDING TITLE VI PHYSICAL ENVIRONMENT, CHAPTER
13 TREE BOARD AND REGULATIONS, SECTION 9 PRIVATE TREE
MAINTENANCE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLEVUE, IOWA,
AS FOLLOWS:**

Section 1. Purpose. The purpose of this Ordinance is to amend private tree maintenance.

Section 2. Amendment. Title VI Physical Environment, Chapter 13 Offenses, Section 19 Private Tree Maintenance of the City of Bellevue Code of Ordinances as amended by Ordinance No. 235 is hereby amended in its entirety and substituting the following section in its place:

6-13-9 PRIVATE TREE MAINTENANCE

1. It shall be unlawful as a normal practice for any person or firm to top and street tree, park tree or other tree on public property without prior approval from the City or Bellevue Municipal Utilities. Trees severely damaged by storms or other causes, or trees under utility wires or other obstructions where other pruning practices are impractical are exempted from this Ordinance. Tree trimming and topping conducted by employees of the City or Bellevue Municipal Utilities shall be exempt from this section. The City is not responsible for trimming public trees that are obstructing a person's property. Such person may trim the public tree at their own expense but must obtain prior approval from the City or Bellevue Municipal Utilities.
2. The City shall have the right to cause the removal of any dead or diseased tree(s) on private property within the City when such tree(s) constitute a hazard to life and property or harbor insects or disease which constitute a potential threat to other trees or property within the City. The City shall notify in writing the owners of such trees. Removal shall be done by said owners at their own expense within sixty (60) days after the date of service notice. In the event of failure of owners to comply with such provisions, the City shall

have the authority to remove such tree(s) and receive full reimbursement from the property owner or charge such expense on the owner's property tax notice.

Section 5. Repealer. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 6. Severability. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

Section 7. Effective Date. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed and approved this 7th day of October, 2019.

Roger Michels, Mayor

Attest:

Abbey J. Skrivseth, City Administrator/Clerk

DISCUSSION ON UPDATING OFF-ROAD VEHICLE REGULATIONS

Skrivseth compiled the list of items from the Council's last work session. Mayor Michels went to the county meeting, but a quorum could not be formed as he was the only mayor present. The Council discussed the option of not having a City fee or registration process if the off-road vehicle was registered with the county. The Council decided to wait for the new County ordinance to pass to see if the City can replicate the same or a similar ordinance.

ORDINANCE NO. 449 AMENDING TITLE III COMMUNITY PROTECTION CHAPTER 1 OFFENSES ON PUBLIC PROPERTY PROHIBITED AT THE COMPOST SITE

Street Superintendent Nick Kilburg provided follow-up information from T&W Grinding per the Council's request. Skrivseth compiled information including a proposed permit and application. The Council discussed the costs and fees associated with the compost area. Michels moved with a second by Medinger to approve the first reading of Ordinance No. 449. Roll call vote carried unanimously.

RURAL INNOVATION LAB INITIATIVE

David Heiar provided a detailed explanation on the proposed Rural Innovation Lab Initiative. Heiar, Skrivseth, and Mayor Michels also took part in a recent tour in Dubuque to learn more about the initiative and the Creative Adventure Lab. Their goal is to open five satellite spaces that will act as a network of innovation and entrepreneurship centers in rural communities throughout Northeast Iowa. The proposed Bellevue site could be located in the restored Button Factory. The State is also looking at providing a startup grant for the five rural spaces. Heiar indicated that to strengthen the grant application a letter of support and willingness to make a financial commitment would be needed from the Council. Heiar noted some of this financial support can also come from local businesses.

Clausen moved with a second by Roth to approve providing a letter of support including future financial commitment for the Rural Innovation Lab Initiative. Motion carried unanimously.

CHANGES IN 2019 CODIFICATION: CH. 7 LICENSING & REGULATING PEDDLERS AND CH. 2 NUISANCES

Skrivseth recommended updating Chapter 7 of the City Code regarding Licensing and Regulating Peddlers. The current code does not specifically address mobile food units and the existing permit is outdated and not very informative. Skrivseth also requested the Council look at the restricted areas in town and the fees. The Council agreed to make the proposed changes and updates with the 2019 Codification.

Skrivseth also pointed out the proposed 2019 Codification includes some model codes inserted by ECIA on Chapter 2 regarding Nuisances. The Council had little discussion and input on this chapter but agreed to discuss it more at a later date.

LACK OF DAYCARE PROVIDERS

Skrivseth and Mayor Michels both were contacted by an in-home daycare provider whom will be retiring soon and her concern over lack of daycare providers in town. Skrivseth commented that this is a state issue and the Community Foundation of Greater Dubuque has facilitated meetings on this topic. Heiar also provided input and suggested that the Council consider forming a subcommittee group made up of City representatives, both schools, JCEA, and the Foundation, along with eventually contacting daycare providers for their input. No Councilmembers expressed interest in joining the new subcommittee. Mayor Michels and Skrivseth said they would be part of the subcommittee group and Skrivseth will reach out to the other organizations to begin the subcommittee process.

TEMPORARY PART-TIME LIBRARIANS

Clausen moved with a second by Medinger to approve the hiring of temporary part-time librarians Laura McCool and Kathy Brooks at a rate of \$13.45 per hour. Motion carried unanimously. Skrivseth also noted that the Library Board previously approved McCool and Brooks.

ALLEY STREET CLOSURE BEHIND RIVER RIDGE BREWERY

Michels moved with a second by Clausen to approve the temporary alley street closure request behind River Ridge Brewery on Saturday, October 19, 2019 from 1:00 P.M. to 6:00 P.M. Motion carried unanimously.

RECEIPTS AND DISBURSEMENTS

The following amounts were received or expended in the month of September:

	RECEIPTS	DISBURSED
GENERAL:		
Basic General Fund	170,217.74	188,549.88
Library Gift Fund	2,418.00	1,147.27
P.I.L.O.T	2,017.41	
L.O.T. Prop Tax Red.	8,302.63	
Franchise-Prop Tx	615.15	
Franchise Streets	615.15	
R.R. Crossing Funds	1,087.99	
CAPITAL PROJECTS		
Park Improvement Proj.		595.41
SPECIAL REVENUE		
L.O.T. Street Dept	10,059.04	7,518.24
Fire Dept Cap Fund		4,137.91
Employee Benefits	16,818.77	
TIF FUND		
Road Use Tax	31,480.13	20,384.91
Amb Cap Fund		1,000.00
Debt Service	14,567.76	
PROPRIETARY FUNDS:		
Ambulance	13,202.35	7,530.18
Telecommunication	116,600.50	116,858.43
Sanitation	42,763.24	30,104.51
Water	106,826.19	25,725.99
Electric Cap Fund		16,550.75
Electric	255,580.87	182,460.73
Customer Deposit	2,679.00	1,285.00
Storm Water Fund	6,192.78	3,914.16
Sewer	41,337.91	31,762.41
Sewer Cap. Improvement	5,528.21	

TOTALS

859,326.77

639,525.78

ADJOURNMENT

As there were no other matters on the agenda for discussion, Mayor Roger Michels adjourned the meeting at 7:48 PM.

City Administrator/Clerk

Mayor